

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 2128

Examiner: H. M. Jones

Appln. No.: 09/651,046

Filed

: August 30, 2000

For

: PROCESS FOR DESIGNING AN OPTIMAL

Pradeep Kumar Subrahmanyan

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**DISC DRIVE** 

Docket No.: S01.12-0632/STL 9334.00

# NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

BEING SENT BY U.S. MAIL, FIRST CLASS, TO THE COMMISSIONER FOR PATENTS, P.O.

Applicant appeals to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner mailed March 9, 2005 and Advisory Action June 3, 2005, finally rejecting claims 1, 2, and 5.

#### FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. §1.17(b) the fee for filing the Notice of Appeal is:

[X] other than a small entity

\$500.00

[] small entity

\$250.00

#### **EXTENSION OF TIME**

These proceedings are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

(a) [] Applicant petitions for an extension of time under 37 C.F.R. § 1.17(a)-(d) for the 06/15/2005 EFLORES 00000027 096 total number of months checked below:

Extension

Fee for other than

Fee for

(months)

small entity

small entity

06/15/2005\_EFLORES\_\_00000002\_09651046

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[] one month	\$ 120.00	\$ 60.00	)
[] two months	\$ 450.00	\$225.0	0
[] three months	\$1,02	0.00	\$510.00

[] four months \$1,590.00 \$795.00

(b) [X] Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### **TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$500.00 Extension fee (if any) \$

Total Fee Due \$500.00

#### **FEE PAYMENT**

- [X] Form PTO-2038 in the amount of \$500.00 is attached.
- [] Charge Deposit Account No. 23-1123, the sum of \$\_.

The Director is authorized to charge any additional fees associated with this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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